

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A pattern inspecting method, comprising:

preparing a sample having a first and a second inspection regions and an imaging device having a plurality of pixels;

scanning the first inspection region to a first direction using the imaging device to obtain a first measurement pattern representing at least parts of the first inspection region;

scanning the second inspection region to the first direction using the imaging device to obtain a second measurement pattern representing at least parts of the second inspection region;

comparing the first measurement pattern and the second measurement pattern with each other to determine presence or absence of a defect formed on the sample; and

controlling a scanning condition for scanning ~~a pattern of~~ the second inspection region by the imaging device so as to keep the same with the scanning condition when ~~the pattern of~~ the first inspection region is scanned by the imaging device.

Claim 2 (Original): The method of claim 1, wherein the scanning condition is a positional relationship of pixels of the imaging device and the pattern of the first or second inspection region.

Claim 3 (Original): The method of claim 1, wherein the pattern is an edge of the first or second inspection region.

Claim 4 (Currently Amended): The method of claim 1, wherein the pixels of the imaging device ~~is~~are arranged in a line which is orthogonal to the first direction.

Claim 5 (Original): The method of claim 1, wherein the first measurement pattern contains a plurality of first image portions in the first inspection region, and the second measurement pattern contains a plurality of second image portions in the second inspection region.

Claim 6 (Original): The method of claim 1, further comprising:  
generating reference pattern data corresponding to the measurement pattern data from design data used when a pattern is formed on the sample; and  
comparing the first and second measurement pattern data and the reference pattern data with each other to determine presence or absence of a defect of the pattern formed on the sample.

Claim 7 (Original): The method of claim 3, further comprising:  
storing a positional relationship of pixels of the imaging device and the edge of the first inspection region when the edge of the first inspection region is scanned.

Claim 8 (Original): The method of claim 7, wherein the step of storing stores a positional difference between the edge of the first inspection region and the pixel of the imaging device as the positional relationship.

Claim 9 (Currently Amended): A pattern inspecting apparatus comprising:  
an emitting unit ~~configure~~ configured to emit to a sample having a first inspection region on which a first pattern is formed and a second inspection region on which a second pattern is formed;

an imaging device that ~~have~~has at least one detecting unit that ~~detect~~detects images from the ~~samples~~sample;

a scanning unit configured to scan the first and second inspection regions to a first direction using the imaging device to obtain first and second measurement patterns representing at least parts of the first and second inspection regions;

a comparing unit configured to compare the first measurement pattern and the second measurement pattern with each other to determine presence or absence of a defect formed on the sample;

a position recognizing unit ~~configure~~configured to recognize a position of the sample with respect to the detecting unit;

a signal output unit ~~configure to output a signal~~configured to output a relative signal according to a relative movement between the sample and the detecting unit; and

a control unit ~~configure~~configured to control a scanning condition for scanning a ~~pattern of~~ the second inspection region by the imaging device so as to keep the same with the scanning condition when ~~the pattern of~~ the first inspection region is scanned by the imaging device.

Claim 10 (Currently Amended): The pattern inspecting apparatus of claim 9, wherein the pixels of the detecting unit ~~is~~are arranged in a line and in a direction orthogonal to the scanning direction.

Claim 11 (Currently Amended): The pattern inspecting apparatus of claim 9, wherein the emitting unit ~~configure~~is configured to emit one of a light beam and an electron beam.

Claim 12 (Original): The pattern inspecting apparatus of claim 9, wherein the detecting unit including pixels that detect images from the samples; one of reflection light, transmission light and a secondary electron.

Claim 13 (Currently Amended): The pattern inspecting apparatus of claim 9, further comprising:

a storing unit ~~configured~~configured to store a positional relationship of pixels of the detecting unit and an image from the samples.

Claim 14 (Currently Amended): The pattern inspecting apparatus of claim 9, further comprising:

a reference data generating unit ~~configured~~configured to generate reference pattern data corresponding to the measurement pattern data from design data used when a pattern is formed on the sample; and

a die-to-data determination unit ~~configured~~configured to compare an image obtained from the first and second inspection regions and the reference pattern data with each other to determine presence or absence of a defect of the pattern formed on the sample.

Claim 15 (Original): The pattern inspecting apparatus of claim 9, wherein the signal output unit outputs the relative signal on a predetermined timing while the detecting unit detects one of the reflection light, the transmission light and the secondary electron from the first and second inspection regions.

Claim 16 (Original): The pattern inspecting apparatus of claim 13, wherein the signal output unit output the relative signals every given time.

Claim 17 (Original): The pattern inspecting apparatus of claim 13, wherein the signal output unit outputs the relative signal whenever the sample moves by a predetermined distance relatively with respect to the detecting unit.